



28th District state facilities continue to make headlines

September 21, 2009

Dear Kitchen Cabinet members,

You may have heard the news announced last Thursday that seven residents of the Special Commitment Center for sexual psychopaths on McNeil Island have been indicted for possession of child pornography. **While I find the news disturbing, the announcement is unfortunately not at all unexpected.**

Federal child porn indictments for seven SCC residents



Over the last two years, there have been 110 state and federal charges filed against residents of the SCC ranging from federal copyright violations to possession of child pornography. The seven indictments announced Thursday are a continuation of a long-established pattern, and not just an isolated incident.

In working with Department of Social and Health Services officials who operate the center, I've learned that some residents of the SCC have child porn smuggled in from the outside on small flash drives and CDs, and some even create it themselves using drawing programs on their computers. While the supply of illegal child pornography within the center remains

constant, because the facility is a treatment center and not a prison, center operators are legally powerless to do much about it without changes to current law.

Some of the predators at the SCC are even using telephones to harass their victims. In fact, there's a case of that happening right in our own district. I can see very clearly that there is a strong need for this legislation to both protect the public from these sex predators and help these individuals get the treatment they need. **You can watch my interview on this story on KOMO-4 news by [clicking here](#).**

In 2008 and again in the 2009 legislative session, **I proposed [a bi-partisan bill](#) that would have restricted the computer access of these violent sex predators** by requiring that it be only allowed if DSHS representatives deem it necessary for an individual's treatment, such as to look for work or keep in contact with supportive family members. Two years in a row, this legislation passed the Senate nearly unanimously, but died in the House of Representatives, largely for political reasons. Despite personal requests from several lawmakers and a signed letter asking the Speaker of the House to allow a floor vote on this bill, the House chose not to do so. You can read more about this on [page two of my post-session newsletter](#).

It's obvious that the state needs to make significant changes to the system, which is why I intend on reintroducing a stronger version of my original legislation in the upcoming session. I hope in light of last week's announcement that my bill will be met favorably by my colleagues in the Legislature.

Eastern State Hospital escapee prompts review of state mental hospital policies

By now, I'm sure you've seen the news headlines... **"Insane killer escapes on field trip to county fair."** The incident received national coverage, and fortunately the person in question was apprehended over the weekend more than 260 miles from where he escaped.

Phillip Arnold Paul was committed to Eastern State Hospital after he was found not guilty by reason of insanity in the 1987 slaying of an elderly woman, whose body he soaked in gasoline to throw off search dogs. He was diagnosed with schizophrenia. Officials at Eastern State apparently take patients on field trips into the community on a regular basis, and in this case, failed to report Paul's disappearance for several hours.

These kinds of individuals aren't so mentally ill that they don't know what they're doing. He may be mentally ill, but he knew he did something bad and that this was a crime. I had a bill last year that would have created a new category of "[guilty but mentally ill](#)" for people charged with a crime. When someone who commits a crime is found not guilty by reason of insanity, he or she is usually sent to either Eastern or Western State Hospital. My bill would have put people who are in fact guilty but mentally ill, under the control of the Department of Corrections, but housed in a Department of Social and Health Services facility until their mental condition can be stabilized. Once that occurs, the offender would be transferred to state prison to continue their treatment.

This would have held these offenders accountable for their actions, and because DOC would supervise the offender if and when they get out of prison, it would ensure they continue taking their medication once released. It costs about \$30,000 to house an offender in prison for a year, but individuals found not guilty by reason of insanity can remain in state hospitals indefinitely at a cost to taxpayers of \$180,000 each year.

Also, if he were ever released back into the public, he would have no criminal history since he was found NOT GUILTY. Current laws are silent about field trips for the mentally ill, let alone the ones who are criminally committed, and this is an area of law that needs serious work. There's too much liability and too much potential risk for the general public.

UPDATE: Work release facility at Western State Hospital

Following up on my last Kitchen Cabinet update, I wanted you to know that I attended a meeting Friday with the [Department of Corrections Correctional Industries](#) board. DOC has

been considering putting an inmate-operated mattress recycling facility in a DOC warehouse located on the grounds of Western State Hospital, which the City of Lakewood believes may set a precedent for an eventual work-release program on hospital grounds, something to which the city is opposed.

It became clear to me that DOC officials want to meet with city officials to discuss their desire to site the mattress recycling facility on hospital grounds. **I arranged a meeting on October 16th between DOC and the city for both sides to look at the proposal.**

In closing...

If you know someone in our district who might be interested in receiving these updates, please feel free to forward this e-mail to him or her.

As always, if you'd like to contact me you can write, phone, e-mail, or stop by my Olympia office. I look forward to your comments and suggestions because they help me better represent you. My office phone number is (360) 786-7654, and my home phone number is (253) 581-2859. Or you can write me at **102 Irv Newhouse Building, P.O. Box 40428, Olympia, WA 98504-0428.**



- Legislative E-mail address: carrell.mike@leg.wa.gov
- Home E-mail address: mcarrell@hotmail.com

Sincerely,

Mike Carrell

28th District State Senator